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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,415	04/20/2004	Joseph M. Cannon	CANNON 129-114-79	2579

7590 11/15/2005

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EXAMINER	
VU, MICHAEL T	
ART UNIT	**PAPER NUMBER**
2683	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/827,415	CANNON ET AL.	
	Examiner	Art Unit	
	Michael Vu	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-22 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 20 April 2004 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 04/20/2004.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-7, 9-13, 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Segale (US 6,262,660).

Regarding **claim 1**, Segale teaches an access monitoring base unit (Fig. 1 to Fig. 5, C4, L15-67), comprising: a wireless piconet front end (Fig. 3, Fig. 4, C6, L15-60); and a database to contain at least one entry relating to a presence of a monitored person within a monitored area (Fig. 1 to Fig. 5, Abstract, C3, L13-36, C5, L10-40).

Regarding **claim 3**, Segale teaches the access monitoring base unit according to claim 1, wherein said at least one entry comprises: unique person identifying information (Abstract, C3, L13-40, C8, L15-53).

Regarding **claim 4**, Segale teaches the access monitoring base unit according to claim 3, wherein said at least one entry further comprises: time stamp information relating to at least one of an entrance and an exit of said monitored person in said monitored area (C5, L11-27, Fig. 4, C6, L44-60, C7, L17-34).

Regarding **claim 5**, Segale teaches the access monitoring base unit according to claim 1, further comprising: an automatic dialing unit adapted to automatically call a particular telephone number when said monitored person either enters or exits said monitored area (Fig. 1, Abstract, C3, L13-36, C7, L17-34, L53-67, C8, L1-14).

Regarding **claim 6**, Segale teaches the access monitoring base unit according to claim 1, further comprising: a remote access module adapted to allow remote access to said database. As examiner noted that a remote unit has a module which is communicating with a central base unit has a server contains database of the subscriber's information or services, which connected to the security alarm service provider/central office who controlled the emergency calls, (Fig. 5, C7, L1-34).

Regarding **claim 7**, Segale teaches a personal wireless piconet identifying device, comprising: (Abstract), a wireless piconet front end (Fig. 1-5), and a unique wearer ID code relating to an identity of a person associated with said personal wireless piconet identifying device (Abstract, Fig. 1-5, C3, L13-40, C8, L15-53).

Regarding **claim 9**, Segale teaches a access monitoring system, comprising: a base unit, comprising: a wireless piconet front end, and a database to contain at least one entry relating to a presence of a monitored person within a monitored area (Abstract, C3, L13-36, C5, L10-40); and at least one personal wireless piconet identifying device comprising: a wireless piconet front end (Fig. 1-5), and a unique wearer ID code relating to an identity of a person associated with said personal wireless piconet identifying device (Fig. 1-5, C3, L13-40, C8, L15-53).

Regarding **claim 10**, Segale teaches the access monitoring system according to claim 9, further comprising: a wireless piconet entrance/exit monitor to provide communications between said base unit and said at least one personal wireless piconet identifying device (Fig. 1, Abstract, C3, L13-36, C7, L17-34, L53-67, C8, L1-14).

Regarding **claims 11 and 17**, Segale teaches a method of monitoring a presence of at least one person within a monitored area, comprising: establishing a wireless network between a personal wireless piconet identifying device associated with a particular monitored person and an access monitoring base unit; and noting a presence or absence of said particular monitored person within said monitored area based on said established wireless network (Abstract, Fig. 1-5, C3, L13-36, C5, L10-40, L13-36, C7, L17-34, L53-67, C8, L1-14).

Regarding **claims 12 and 18**, Segale teaches the method of monitoring a presence of at least one person within a monitored area according to claim 11, wherein; said wireless network includes a wireless piconet entrance/exit monitor between said personal wireless piconet identifying device and said access monitoring base unit (Fig. 1, Abstract, C3, L13-36, C7, L17-34, L53-67, C8, L1-14).

Regarding **claims 13 and 19**, Segale teaches the method of monitoring a presence of at least one person within a monitored area according to claim 11, further comprising: noting time stamp information relating to an entrance or an exit of said monitored person in said monitored area (C5, L11-27, Fig. 4, C6, L44-60, C7, L17-34).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 8, 14-16, 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Segale (US 6,262,660) in view of Treyz (US 6,711,474).

Regarding **claims 2, 8, 14, and 20**, Segale teaches an access monitoring base unit according to claim 1, wherein: said wireless piconet front end, **but is silent on** utilizes a BLUETOOTH protocol. However, Treyz teaches a wirelessly communicate using local short-range is typically characterized by distances on the order of a small fraction of a foot to hundreds of feet (e.g., 500 feet) and are therefore often referred to herein as "local" links or paths. Local links may use any suitable protocols such as the Bluetooth local wireless protocol or any other local wireless protocol (C11, L30-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Segale, such that utilizes a BLUETOOTH protocol to provide the capabilities of different services such as cost, small, and lightweight device.

Regarding **claims 15 and 21**, Segale teaches a method of monitoring a presence of at least one person within a monitored area according to claim 11, **but is silent on** wherein: said step of establishing said wireless network establishes said wireless piconet on a temporary. However, Treyz teaches a wirelessly communicate using local short-range is typically characterized by distances on the order of a small fraction of a foot to hundreds of feet (e.g., 500 feet) and are therefore often referred to herein as "local" links or paths. (e.g. establish local wireless communications link between a wireless device, in this case between a laptop computer and a handheld device equates between to a person who wear a watch/jewelry and wireless piconet monitor base unit (Fig. 49, C44, L59-67 to C45, C66, L21-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Segale, such that wherein: said step of establishing said wireless network establishes said wireless piconet on a temporary, to provide the capabilities to access to the World Wide Web whenever users needed, or access to a security alarm service provider/central office for instance.

Regarding **claims 16 and 22**, Segale teaches a method of monitoring a presence of at least one person within a monitored area according to claim 15, **but is silent on** wherein; said step of establishing is periodically performed. However, Treyz

teaches a wirelessly communicate using local short-range is typically characterized by distances on the order of a small fraction of a foot to hundreds of feet (e.g., 500 feet) and are therefore often referred to herein as "local" links or paths, which establish local wireless communications link between a wireless device (Fig. 49, C44, L59-67 to C45, and C72, L44-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Segale, such that wherein; said step of establishing is periodically performed, to provide the flexibilities to update the database when the users request information from the remote server.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael T. Vu

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